



Budget Tidbits... just the facts

By Sen. Joe Zarelli, Ranking Republican
Senate Ways & Means

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Department of Early Learning – SSB 6466

A central proposal of Gov. Gregoire's is to create a new cabinet-level Department of Early Learning. Three words in the bill have the potential to create a huge expansion of government.

A. The Claim: Better – not bigger – government

- SSB 6466 creates the Dept. of Early Learning and transfers several programs currently in different agencies to the new dept., including the licensing & regulation of child care facilities.
- Rhetoric has focused on the need to consolidate – not expand -- existing programs in one central agency, presumably leading to better efficiency and focus. The fiscal note goes so far as saying “*no new government programs are created*” and “*no new licensing authority is created*” in the bill.¹ The Governor's office, in testimony before the Ways & Means committee, reiterated these assertions.²

B. The Reality: Greater Regulatory Authority over Child Care Facilities

- But the bill is NOT a wholly-innocuous re-arranging of existing programs. In transferring child care licensing & regulatory authority to the new dept., the bill adds three words not currently in law.
- The three words in sec. 301(2)(e) – “and early learning” – expand the state's licensing of child care facilities to include the provision of early learning. Given the department's charge to “set state early learning policy” and to adopt “rules governing child day care”, the new language is a potentially huge expansion of the state's regulatory authority over child care facilities.³ The failure to comply with early learning rules and regulations adopted by the dept. can result in license revocation and fines.⁴
- Who falls under the scope of this expanded regulatory authority? Every child care facility currently regulated and licensed by the state, including both in-home and out-of-home licensed providers.⁵

C. The Result: Potentially Dramatic Shift in State's Day Care Role

- The bill authorizes the new dept. to set state early learning policy and impose those requirements on day care facilities as a condition of being licensed in the state. This is a potentially dramatic shift in the state's role, from ensuring children's safety to mandating, regulating, and evaluating learning.
- What are the foreseeable outcomes of such a shift? Higher day care costs for parents; a de facto state-imposed curriculum for children ages 0-5; the elimination of small in-home licensed providers in favor of larger, more sophisticated out-of-home providers; and either a widening gap of access to day care as prices rise, or greater taxpayer subsidies for low-income families.

Bottom Line

Is this expansion of the state's role – from ensuring children's safety to mandating, regulating, and evaluating learning in child care facilities – wise from either a budget or policy perspective?

1. Fiscal note, OFM section, p. 2 (1/23/06)

2. Karen Tvedt, testimony on behalf of Governor's office, 2/2/06.

3. Sec. 103(2) – “The primary duties of the department are to set state early learning policy and coordinate, consolidate, and integrate child care and early learning programs[.]”
Sec. 108(2)(c) – Grants authority for department to adopt rules “governing child day care”.
4. Sec. 311 – Provides that a license may be revoked and fines may be imposed upon failure to comply with the requirements adopted pursuant to the chapter.
5. Sec. 102 and secs. 401-404 – Revises statutes to place child day care licensing under Dept. of Early Learning